771 In matters of religion the Nkundó recognize the existence of a Supreme Being: Njakomba or Mbombiándé, creator and ruler of all that exists. They do not worship him in any way, however; all their religious practices are addressed to guardian and ancestral spirits. (2)

2. On the subject of the religious conceptions of the Nkundó, see a detailed study by Father Boelaert, M.S.C., in Hooger Leven, 1934, pp. 1612 and 1636, and 1935, pp. 12 and 60.

197 The language of the Nkundó is beautiful, harmonious, flexible, and rich. It has all the qualities needed to become a literary language and is admirably suited to the requirements of teaching. Furthermore, its various dialects are spoken over a considerably large territory, in fact over one of the largest language areas [13] of the Congo. In addition to the religious and devotional books of the 797 Catholic missions, a fairly large collection of various academic text- 214 books is available in this language, thanks primarily to the zeal of the Protestant missionaries. The latter have also published a complete translation of the Bible. Several vocabularies and small grammars have been compiled, and in recent years a large dictionary and an expanded grammar have been added to these, both compiled by A. and L. Ruskin of the Bongandanga Mission. For several years the Protestant mission at Bolenge has been publishing a native magazine, and the Catholic mission is pushing ahead with preparations to publish one also.

114 Father Shebesta's book, Vollblutneger und Halbzwerge, includes a chapter on the Nkundó in which the author gives a good general description of this people. Nevertheless, some of the details given must be accepted with reservations.

121 The general information given above is enough to give the reader a superficial knowledge of the Nkundó.

The purpose of this work is to give a more extensive account of their institutions pertaining to marriage.

As we have previously stated, we are considering only a portion of this people. All our statements cover only the fraction we have delimited. The family institutions of other Nkundó groups are not accounted for, as they are less known to us and we do not want

593x everything. But they only succeed if they have no sons old enough
586x to defend their mother. Differences in behavior are due to the character of the persons involved. (1)

1. See Chapter VIII, Article I.

197 Only religion can bring about a radical change in this domain.
595 We are still far from our goal, but a few serious Christians have al-
159 ready begun to adapt to the requirements of a higher morality and to deal with their wives in conformity with the sanctity of marriage though he or she may be ill. Yet it is more difficult for them to do this than for the others, since this same morality forbids [39] polygamy and all other means of satisfying passion.

An admirable case is that of Bekau Marie, daughter of Esalé D'Iámbo (Bonkoso). Her husband, Bokombeembe Pierre of Mbalá, suffered from leprosy for many years. He could no more perform the sexual act than do any real work. His wife therefore had to support herself with the help of her son. In spite of her freedom, her separation from her native village, and the ill feelings borne her by her husband's family, she did not want to leave him but decided that she would continue to devote herself to him. (1)

1. Her action is due only in part to Christian influence. That is why this case belongs here to the exclusion of some others I could describe, which are due solely to the influence of Christian morality upon the souls of the individuals.

593x If there is a dispute between her family and her husband, it
578 is hard to know in advance which side the wife will take. Similarly, if difficulties arise between the husband's family and his wife, he can take either his wife's side or that of his relatives. It is all a matter of individual temperament. Some people spontaneously lend support to their families; others on the contrary take sides with their wives. A woman or a man who without good reason habitually takes

595x only consider the marriages of adult individuals through the nkumbó,
586x that is to say, unions that are truly and perfectly voluntary on both sides. Finally, we should exclude those wives of polygamists who prefer monogamy and have taken advantage of an opportunity to break their unions in order to enter into a marriage contract with a bachelor. It seems to me that when these reasonable considerations and restrictions are taken into account, the figures established will not argue against the stability of Nkundó marriages to the extent that one might have thought at first. Or at least that is my impression, derived from the many cases that have come to my attention and that it has been my duty to investigate thoroughly in the course of my ministry as a priest.

The 112 marriages recorded in our last two books at Flandria can be broken down as follows (1): 18 widows, (2) 6 inherited wives,[47]

1. I am excluding the 14 Batswé cases.

2. As against widows who are inherited.

1 replacement, 3 cases of women who had broken marriages entered into before puberty, 29 wives of polygamists, 18 divorced wives of monogamous men, and 37 first marriages. If we exclude the replacement, the marriages of children and of former wives of polygamists, but include widows and women who are inherited, we arrive at 37 + 18 + 6 = 61 persons for whom their present marriage is still their first, as against 18 clear-cut cases of divorce.

[717] Nevertheless, it should be noted that these figures are based on only a tiny minority of the population and on that part which, from our point of view, may be considered the best, because these people are willing to submit to the yoke of Christian morality. In addition these people are in their prime, and it is impossible to say whether later on they will persevere in these good inclinations. But in any case these instances show that faithfulness to a promise can, and in fact does, exist among the Nkundó.

595x 837 Without a doubt one of the most beautiful aspects of love in general, and marital love in particular, is conjugal faithfulness. As will be shown in detail in Chapter VI, Article VII, 2, the Nkundó do

583* The husband has a second reason for making the walo large: by this means he can bind his wife and his in-laws more closely to him. For the larger the walo, the more difficult it would be to reimburse the husband and therefore to break the marriage. Thus a man will pay a larger amount for a woman he cares for particularly. For their part, his parents-in-law will say: "We must remain on good terms with our son-in-law, for he is generous and wealthy." And if there is a palaver in the household and their daughter wants to leave -- or actually leaves -- her husband, they will be all the more inclined to do everything in their power to smooth out the differences and make her return to her husband's house. They will say, "We have collected so many valuables from him, how would we find the means of reimbursing him?"

583* 587 If a daughter remarries, her parents can demand not only the amount required to reimburse her first husband, but also a supplement for themselves. It is not considered proper to ask too much, however; 10 or 15 rings are usually enough. It follows that a woman's bride price rises with the number of husbands she has had.

583* The chief reason for the amount of the walo being reduced has always been, and still is, the payment of the bosóngo (see Article IX) at the same time with, or immediately after, the walo. It explains the low walo payments in cases 21, 25, 27 and 38b in the list which follows. Nowadays there may be new reasons. Among Christians; for example, a brother may want to help his widowed sister so that she will not have too long to wait before remarrying; or orphans born somewhere in a distant center may have been more or less abandoned by their families (as in case 17). To give some idea of the walo amounts, 583* I have copies a few cases out of our bride-price records of Flandria 797 Mission. Next to the women's names I have indicated their tribe of origin, then the amount paid for them (in bakonga), and finally the year of marriage. [139] The numbers at the left denote their order in our books. (1)

1. These records are kept because we require that at least the walo be paid before the marriage is celebrated. I should point out that, in an isolated instance, the ikulá-ndanga may

589*
●[797]

have been included in the amount given for the walo.

No.	Name	Tribe	Amount of Walo (in bakonga)	Year
2.	Bolumbu Monica	Bonkoso	100	1929
4.	Ilumbe Sofia	Bombwanja	80	1929
12.	Lokole Maria	Elinga	100	1930
13.	Baata Joanna	Bakaala	60	1930 (2)
	2. The same for her sister, Ijanga Paulina (no. 14).			
16.	Bonkiki Clara	Elinga (Bosaa)	100	1930
17.	Bolumbu Paulina	Bombwanja	56	1930
18.	Ilonga Teresa	Bongili	95	1930
19.	Lomboto Maria	Bombwanja	100	1930
20.	Bawala Catharina	Bombwanja	85	1930
21.	Ilumbe Josephina	Bombwanja	60	1930
22.	Botsinanya Teresa	Bongili	73	1930
23.	Bolanga Joanna	Bombwanja	60	1930
24.	Eume Amanda	Bongili	168	1930
25.	Ifoonge Gerdina	Bombwanja	50	1930
27.	Boongi Martha	Bombwanja	56	1930
28.	Nyonyɨ Loisa	Bombwanja	50	1930
28a.	Loota Joanna	Bombwanja	90	1930
32.	Bolumbu Emilia	Bombwanja	90	1930
33.	Iloko Bonifacia	Bakaala	70	1930
34.	Bolumbu Maria	Wangata	80	1930
36.	Isaka Gerdina	Bombwanja	65	1931
[140]				
38.	Mbanga Clara	Bonkoso	80	1931
38a.	Wetsi Teresa	Bongili	70	1931
38b.	Wambela Loisa	Bonkoso	54	1931
40.	Efoloko Martha	Bombwanja	67	1931

428 587 581 Because of all these obvious differences, the Nkundó tend to consider this second type of union nonmarital. It resembles actual marriage only externally; in the final analysis, the difference is fundamental, since it has none of the specific properties of a marriage. Therefore such a union is not a marriage, but a continuous concubinage.

A man who cohabits in this manner with a woman for whom others have paid the bride price is often the object of humiliating allusions. He is treated as nkolasangó, "inheritance taker" (that is, of inherited women). If a woman involved in the type of union described quarrels with one who has been "bought" in the regular manner, the latter will sometimes clap her hands (-foma losáka) to indicate her superiority. That is why such a woman is sometimes called wálɪ ôâ fomalosáka in contrast to the other. [195]

Present-day circumstances make all this even more clearly apparent. Nowadays, even pagan natives almost everywhere are aware [197] of the intransigence of the Catholic Church on the question of the indissolubility of a marriage which has been effected through the religious ceremony. For this reason the "masters" of a woman who is legally theirs but who is actually living with another man in the manner described, will not permit her to enter into a religious marriage with this man unless he pays the bride price.

Therefore we may consider the type of union described above a concubinage which does not satisfy the moral conditions for a true marital union. As to the first type of marriage by inheritance, namely a union with a close relative of the deceased, the question is more complicated; but it is my opinion that such a marriage is valid from the moral standpoint. I hope, however, that in order to attain greater certainty on this point, others will re-examine the case in the light of the various aspects of the solution that have been presented.

The following historic case pertaining to individuals whose genealogy appears below will illustrate the preceding discussion:

586x 587 is only one royal power and dignity which continues to exist through the various individuals invested with it) or as in law when, in spite of a change in the identity of the debtor, there is no novation. (1) [207]

1. We will return to this question in Article IX.

Because of the way the Nkundó view this substitution, the bankitsá occupies the same rank in the harem as the woman she is replacing, and she is handed over to the husband by the same ndonga who participated in arranging the initial agreement.

What evaluation should be placed on this union by substitution from the standpoint of natural law? Does it bear the taint of a real vice or does it not? The right of civil powers to break a marriage legitimately contracted is debated. (1) Let us assume that this right exists

1. At the present time the affirmative opinion has almost been abandoned by Catholic philosophers, jurists, and moralists.

and, furthermore, that the woman being substituted really consents. Her view, as well as the view of everyone around her, is that this is a matter of submitting to a family duty imposed by the laws which govern her people. One may wonder whether this requirement can be defended before basic principles of the law in general and in the light of morality. In any case the unanimous opinion of the natives that this substitution constitutes the continuation of a marriage through another person is certainly false. It is undoubtedly the result of an insufficient analysis, which leads them to lose sight of the crux of the problem by focusing primarily on the involvement of the clan in the marital union (see Article IX).

Whatever the case may be, it is possible to say without fear that in the great majority of cases a native woman submits to this law because she considers her submission an obligation which, for the good of her family, she is not permitted to escape.

[197] Moreover, the younger generation is beginning to oppose this practice. For example, here with the Sisters there is a young daughter

586x of Bofimbo, named Ngongo, who was given to Bokungɛ́ of Bongíli as a
587 replacement for her sister Ilumbɛ́ when she was a very small child.
●797 Since she was not yet nubile she continued to live with her parents.
When they became Christians, Ngongo was also baptized. On the other hand, [208] Longála, a son of Bokungɛ́, had become a catechumen and, after coming to the school, was baptized. His father yielded Ngongo to him as his future wife. Ngongo (who was now about seventeen) wanted nothing to do with this marriage. It was not that she refused to have Longála as her husband; she did not want to be married simply as a bankitsá. She insisted on a marriage by bride price, in spite of the difficulties involved in the procedure, which was doubly useless and, for the Nkundɔ́, stupid.

587 There is a second form of substitution: replacement after death.
583x When a man has lost his wife and both he and the parents of the deceased want to maintain their alliance, he brings them 20 to 25 rings through the medium of the ndonga for the purpose of obtaining a new wife. This payment is called ibɔ́leɔ́ko, a term derived from -bɔ́l, "to beat" (for instance the clay in the ground) and eɔ́ko, "the site of a house." The Injɔ́lɔ́ designate it by a different name which however has the same meaning. It is sangɔ́lɛ́kojí, "the inheritance of a dwelling site."

The procedure is as follows: When the widower has fulfilled all his funerary obligations and, at the end of his second visit to his parents-in-law, he is about to take leave of them, they ask him:

"Well, you're leaving. What are you planning to do now?"

He answers, "I loved your daughter very much. She is dead, and I have buried her. I have fulfilled all my duties. I have always lived on good terms with you, and I would like to continue our relationship. But first I must consult my family. Then we will see." That is how he expresses his wish to continue being their son-in-law. After asking his relatives' opinion, he returns to his father-in-law with the ibɔ́leɔ́ko. "Here, I bring you the ibɔ́leɔ́ko; I come to beat the house site; give me a wife." The father-in-law will have already chosen the daughter, sister, or other relative who is to replace the deceased and has already privately mentioned her to his son-in-law.

593 758 Efala of Longa married to Ifoli of Bokenyola (Bonjoku); Basase of Mbele married to Nkengo of Litili.

If the woman went to her family in good health and contracted an infirmity there, her parents are responsible for it. They are obliged to nurse her and to assume all the expenses due to her treatment. After she is cured they send her back with a quantity of nkomi for her husband. Usually the matter ends there. If relations between the two families are not very good, however, the husband will claim an indemnity, which varies with the situation and to which he is entitled even if he does not claim it.

This stipulation of the law holds even if the woman has gone to see her mother, father, etc., at the time of an illness or for any other reason.

It does not hold, on the other hand, if the wife has been ordered to go to her parents by her husband, or if she has fled the home shared with her husband because of ill treatment or of serious failings on his part; this point will be explained below in number 3. In such cases the husband is legally responsible for the illness.

Certain situations may arise which are intermediate to the ones discussed. Thus, for example, a wife may make a visit on her own initiative [269] but for her husband's good. Theoretically, he should win the case. Note, finally, that a stay of only twenty-four hours is not considered sufficient to make responsibility for an illness fall on the wife's family.

178 595 758 672 797 Colonization has produced an entirely new situation. Colonial law has given the extra wives of polygamists the freedom to go to a mission in order to be instructed in the Christian religion and to contract a monogamous marriage (provided the customary rules governing the dissolution of marriages are observed). Such a woman may fall ill at the mission. If her illness has no troublesome consequences, it does not result in a dispute. But if the illness becomes chronic and in some way detrimental to the abandoned spouse, it may do so.

The polygamists declare that they are free of any responsibility, which they place on the woman's family. But the family has

178 nothing to do with it; it is unjust to bring them into the matter.
595x Since this legislation is intended to combat polygamy, it is natural
758 that the polygamous husband be the one who suffers from it.
672 The following is a recent example of this situation: Mbóyó
●797 Julienne, sister of Botúna Jean of Balondó, married to a polygamist by the name of Insílo of Bokenyola (Bonjoku), went to Bokuma Mission, where she contracted an incurable illness. (1) Because of her

> 1. It was a sort of illness with nervous symptoms. From a scientific viewpoint, it is more than likely that she had this illness before her arrival at the mission, although it was only manifested there. But the natives do not make this distinction, so it is not relevant to our topic.

illness she found it impossible to remarry. She therefore left the mission but was no longer accepted by the husband she had lived with so that she had to live in her brother's home. Insílo insisted that her brother reimburse him for the bride price, maintaining that in going to the mission, the woman had divorced him; his real reason, however, [270] was that she had become unfit to fulfill the duties of a wife. Since Mbóyó did not fall ill in his home, he held her family responsible.

593x 3. Abandonment of the home shared by the couple
586x In the case of serious failings on the part of a husband, a woman's usual weapon is to leave their common home and return to her father's house. If the reason for her flight is serious, it is up to the husband to go and bring her back. She will not return on her own initiative. If he refuses to make the first step, he will be accused as much by public opinion as by his parents-in-law of not loving his wife, and a rupture will become inevitable. It is therefore his duty to go to his wife's parents. They will ask him to explain the situation. The wife, too, will say what she thinks. The parents will settle their difference. Whether or not the ndonga is present will depend on the

595 arrangements for a regular marriage with a lover, or they leave the polygamist under the protection of the Whites to go to a center or a mission.

1. A preference for monogamy

595 797 We will not deal with daughters of Christian parents under this heading, in order not to falsify the problem, which we are discussing from the psychological, not the religious point of view.

1) Women who oppose being handed over in marriage to a man who is already married are rare. It is possible that such a refusal is due to one of the following causes: the desire to be bolúmbú (or éfótswâála), (1) a natural desire for complete freedom,

1. See Chapter I, Part 1, Article II, and Part 2, Article III.

an antipathy for the suitor, or an abnormal constitution. Such cases must be [363] eliminated, since they prove nothing for or against the question raised.

But there are other instances where marriage is clearly postponed for the sake of entering into a monogamous union. Yet, under present circumstances, the desire to embrace the Christian religion is almost never absent. I have known several cases of adult single women who came to the mission to be married there while preparing for baptism. Most of them did not have the courage to persevere, however.

A greater number remain with their parents even if they want to be admitted to the Church. The life of single women at the mission is not exactly the easiest, either from the material viewpoint or as regards freedom. For even a sincere desire to participate in a monogamous union does not exclude human weakness or constitute a certificate of saintliness. These girls remain subject to the impulsiveness of their passions. It is quite true that even at the mission they can find the means to satisfy it, for it is impossible to watch over them to such a point that they would be unable to escape. But precisely because of this surveillance, which is close in spite of everything, they cannot freely let themselves go. While at home no one pays any

595x attention to their deviations, at the mission the discovery of any misconduct results at least in a reprimand, which is always disagreeable, and often in a fairly long postponement of the baptism they ardently desire. Therefore these women usually prefer to circumvent the difficulty by waiting until a young man who is Christian or a catechumen asks for them in marriage.

595x 2) Most girls do not oppose polygamy. Education and traditional custom do not lose their power in a few years. Besides, the girls are often not really aware of the exact situation at the time they are asked for in marriage. Later, [364] when polygamous life no longer satisfies them, they try to arrange a marriage with a bachelor.

[797] In a number of cases the decisive reason is the desire to become Catholic. In others, religion does not enter into consideration. Only those can be examined here, for the value of the first group is greatly reduced by the presence of the religious motive.

If a woman leaves her husband because of personal antipathy to him or certain of her co-wives, and not because of any opposition to the system of polygamy, she takes the easiest and most direct way out by going to another polygamist, who has the means for repaying her bride price. This occurrence is more frequent than the preceding ones. Therefore we can make a division between the two possible situations and conclude that a preference for monogamy is present when a woman leaves a polygamist to marry a bachelor.

3) Other women take advantage of the freedom that colonization has produced by going to live with a bachelor in one of the centers. There may be a variety of motives behind such an action: a desire for luxury, a desire to be united to a man whom they love but who does not have the necessary wealth to marry them in the usual fashion, or a real desire for a monogamous union. (1) Today the last reason is rather rare.

1. At the present time the flight toward the centers has already become difficult,

595x

but it is still possible. Everything depends on the degree of surveillance of the authorities. In large settlements their task is not always easy.

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4) A woman who abandons her polygamous husband and asks to be admitted to a mission may be motivated either by an aversion to polygamy or by a religious reason. First of all, we must make a distinction here between Catholic and Protestant missions. For if the woman goes to a Protestant mission, it is possible that only the first motive is involved. [365] For the Protestant mission accepts wives of polygamists for baptism without requiring them to break with the custom. Only the husband is excluded. (1) Therefore, they do not leave him when they

1. I am speaking only of the specific region with which we are dealing in this study. Therefore, generalizations should not be made from these statements.

become Christian but continue participating in the life of the harem as before. Thus, if any of them go to the Protestant mission all the same, we can conclude that they do so solely out of a preference for monogamy. But I do not know whether such cases actually occur, or in what proportion. It is to be hoped that a Protestant missionary will examine this exceedingly interesting question.

With reference to the Catholic missions, one or the other of the two motives may be involved. Usually both are present in the same person, for the Catholic religion does not permit polygamy either on the part of man or woman. According to the colonial law of the Congo, a woman has the right to break a polygamous union for the sake of a monogamous one. The polygamist's wife who asks to live at the mission wants to become Catholic and at the same time to contract a monogamous marriage. She has both objectives in mind. Persons of this sort must therefore be excluded from our discussion. As a matter of

595 [197] fact, women who do not wish to become Catholic take the paths described in 2) and 3).

5) There are even women who prevent their husbands from becoming polygamous. If he loves them a great deal, he will yield in the end, even if personally he would very much like to build a harem for himself. This was done by Mputɨ (recently deceased, February 3, 1933), wife of Bofɛ́nda, chief of Ekɨ́kola. Bofɛ́nda was rich and tried more than once to acquire other wives. He even took them home and paid the bride prices -- for example, for Iloa of Bongíli. But Mputɨ made life unbearable for them and thus forced them to leave. She absolutely wanted to keep her husband, [366] to whom she had given two boys and three girls, for herself alone.

We can therefore conclude that among a minority of Nkundó women there exists a real preference for monogamy, even if we leave out of consideration all those who may be impelled by religious reasons. But most of them are in no way opposed to polygamy.

2. A preference for polygamy

Most Nkundó women like polygamy and prefer it to monogamy. They make fun of a impɔ́mbonjemba and are proud of the large number of wives in their husbands' harems.

Their indifference or aversion to monogamy can be explained on the basis of habit or atavism. But what is the basis for their marked preference for polygamy despite all its disadvantages? I asked this question of a number of polygamists' wives. Naturally, they first invoked the custom, (1) except

[609]

1. This is the standard explanation a native hands out to a foreigner or to someone he does not know or by whom he thinks he is unknown.

for those who had known me for a long time. But the serious reason they gave was the greater comfort of life in a harem.

736 may wish to keep. In exemplary unions she is allowed to keep
768 the mats she has woven with her own hands, and the goods she received from her husband -- fabrics, beads, hens, even goats and dogs, and even sometimes what she has acquired through joint efforts with her husband (crops, livestock) -- are divided equally. The division is usually carried out with a generous attitude toward the widow, and if there is only one object of a kind the tendency is to let her have it. [442] Such conduct springs from pure generosity, for -- as has already been said -- the woman has absolutely no claim. In the past it followed only upon extraordinarily happy unions, and particularly in consideration of the relationship between the two families and the affection of one of the immediate heirs for the widow.

At the present time the influence of the missions is increasing
736 the number of instances of generosity toward the widow and starting
768 an inclination to make it a general rule. Thus good Christian
797 families -- if they are not thwarted by their pagan relatives -- leave the widow those objects she personally used, such as clothing, utensils, a trunk, and even a sewing machine.

Article VII. Economic Effects of Death

1. Bride price and dowry

768 The death of one of the spouses dissolves a marriage only
583 from a certain point of view and only as a union between two specific individuals. A marriage is absolutely broken only by the death of both spouses (or by divorce).

Unlike divorce death does not bring about any repayment either of the bride price or of the dowry (nkɔmí). When the wife dies, all these payments remain in the hands of the respective parties. When a husband dies, the widow continues to belong to the heirs; she is part of the inheritance. The children belong to the father and his family; no new payment for them is necessary.

768 672 593* fastened her to a fork (etáka) until he was reimbursed. Sometimes the ndonga intervened to free her, but by doing so he took upon himself the responsibility of making restitution of the bride price. In this last [465] instance, if the wife died in the home of her family, the husband was entitled to reimbursement just as he would be in case of a divorce. Thus we come back to the situation described under 2) and 3), the forms varying according to whether or not the widower wanted to continue the affinal relationship.

[178] Nowadays the situation has changed entirely. The colonial administration no longer permits the use of the etáka. Consequently, a man who wants to get rid of his incorrigible wife acts in such a way that she will leave him of her own free will. And the situation is again that described in 2).

If the husband has sent his wife away himself by placing her in the hands of the ndonga, his parents-in-law will refuse him an indemnity or any restitution of the bride price and often will not even accept the nkunji. They answer his demands by telling him that he should not have repudiated the wife whom he freely chose for himself. Thus most men resort to the procedure described in the next paragraph. There are circumstances, however, under which this mode of action is more difficult; this is so especially in the case of monogamists, since its execution requires several weeks, sometimes several months. In the interim the wife does as she pleases and neglects her husband, so that the latter practically finds himself a bachelor.

● 797 768 672 593* Evangelization has added a second difficulty. Catholic marriage is indissoluble. Catechumens and Christians who wish to marry must therefore be careful. Before admitting them to religious marriage, we require that at least the walo be paid. But the young men know the temperament and value of their fiancées only through experience. In almost every case therefore they have this experience at home before the walo, in accordance with their ancestral custom. Then, if one of the two parties is pagan (which happens very often), the disciplinary rules of the Catholic missions in the Congo require that they spend a minimum of six months

197 preparing at a mission station or catechumenate [456]. During
768 the experimental period, the engaged pair sometimes find faults
672 in each other which lead them to foresee a married life filled with
595 difficulties and resulting in a breakup. Therefore it is preferable that they carry out the required measures before marriage. The woman is usually the source of the difficulties. The female sex has hardly been touched by evangelization, chiefly because pagan parents, who do not oppose the Christianization and education of their boys, take their revenge on the girls. What they fear particularly is the girls' opposition to premature marriages or their flight to the centers. For those people, therefore, it is almost impossible to get round the difficulty in such a way. As the situation is not provided for in traditional law and, furthermore, most of the natives who hold power are clearly indifferent, if not hostile, to evangelization and the stability of Christian marriage, these special circumstances are not taken into account in any way, to the great detriment of the young people who are thus caught between their consciences and their temporal interests (which in this instance have strong repercussions on their moral life). The attitude of almost all the chiefs and judges in this matter is not contrary to ancestral law -- since the situation was unknown -- but it is certainly opposed to the spirit of that law.

7) The couple go to the home of the wife's family together.
672 Illness and death that come unexpectedly during such a visit are
768 imputed solely to the husband, who retains all the risks except,
595 of course, if the husband returns home but his wife does not follow him, remaining with her parents. Indeed in such a case we fall back on the solution described in 2).

8) Here we come back to the possibility indicated at the end of Article IX, 1, namely that of the wife who dies in her [457] family's home before the walo is paid. If the husband is in the wrong (see under 1), 5), and 7), the solution given in the article in question retains all its validity; the husband's "responsibility" remains intact. In the other instances it is reduced but not taken away. Actually, two laws are in conflict. On the one hand, there is the "responsibility" of the husband who has not fully acquitted

768 672 178 Colonization has given rise to a new legal situation which is not provided for in Nkundó traditional law. If a woman takes advantage of the freedom permitted her by colonial legislation and goes to a mission to obtain instruction and make a monogamous marriage, and then contracts an illness from which she dies (at the mission, in the hospital, or even in the home of her family -- a question of place which has no legal importance), we find ourselves confronted by an entirely new situation. The husband no longer considers the woman his wife since she has left him, even though theoretically she continues to retain that status. On the other hand, she has not gone back to her family or gone to live with another man.

Polygamous husbands want to throw the "responsibility" back upon the woman's parents. But actually they have no part in the events, and it is unfair to involve them in the situation.

They do not bring the mission into the matter. As a matter [197] of fact, the mission performs a service to the woman and to society as a whole in trying to elevate it morally and culturally.

What should one think of this situation? In the preceding article we have seen that the husband assumes all risks in relation to the wife. Certain exceptions to this rule [460], which we have explained, have been formulated in Nkundó law; but outside of them, the law retains its dominion, since the exceptions are narrowly defined. Thus it applies to the situation with which we are dealing, and consequently the damages must remain on the husband's account.

Moreover, this interpretation is to be encouraged for the following reason:

The purpose of the legislation involved is to protect freedom in this matter of capital importance and to favor monogamy and the gradual abandonment of polygamy. Polygamists -- as a group -- must perforce suffer from it in one way or another. It is inconceivable that a struggle against an abuse would not affect the persons guilty of it.

Such cases are still very rare, but their frequency may increase with the progress of evangelization.

768 672 682 In terminating this discussion we must make one point that is related to both of the last two articles. The cause of death has no

202 198 Bansele nsele ba nkanga, "The one always screaming who is followed into the high grass, the strong branch, the districts go along with the priest (Father).

1. The missionary is seen here as a witch doctor (bansele nsele ba nkanga is a general lokole name for the Negro witch doctor), who, like the Negro doctor, is looked upon as a doctor and a priest.

2. Bofala boki ndaki lisako nda lokombe [sic]. The priest, because he is always seeking converts everywhere, is here compared with an antelope which, when it is followed, runs around and around in the high grass.

3. Etafe bolo. The missionary is here compared with a strong branch. He is strong because he is influential and highly regarded by the Negroes.

4. Benanga bekendaka la mperu. The districts all go along with the Father (priest). They all follow his instructions.

The nkombo of the Protestant Anglican missionary is as follows: Bofanga sembola bonanga boso nkenda l'Inglese.

"The fishing net is spread out; the country goes along with the Englishman."

In the same way as the fishing net cordons off a part of the river and everything is caught in it, so all the people go along with the Englishman. The Protestant Anglican missionary was in this district before the arrival of the Catholic missionary, so this nkombo refers, of course, to this period. Since the arrival of the Catholic missionary, the situation has changed completely in this district.

[147]

These few examples give an indication of the difficulty in understanding the lokole language.

352 322 In addition, the Negro makes a few chairs, the most important of which is the lyeko ia mpaka, the chair for the elder, a three-legged affair with two props under it, topped with a piece out of the umbrella tree; into this the elder can throw himself as lazily as he wishes.

Then there is the so-called ebonga, a little stool chopped out of a block of wood with the native axe. This is finished off attractively with an esumwa, a small paring chisel, and the seat is decorated around the edge with studs which have been bought in some factory or other.

7:Brown M-5 (ca. 1940) 1944 FO32 Mongo FO32
Ntomba

THE *NKUMU* OF THE TUMBA

RITUAL CHIEFTAINSHIP ON THE MIDDLE CONGO

H. D. BROWN

THE tribes living round Lake Tumba, a lake some thirty-five miles long by twelve wide lying north of Lake Leopold II (approximately 0° 30′ south latitude, and 18° east longitude) and draining into the Congo River at the confluence of the Ubangi, lack cohesion and show a considerable variety of custom and language. But they are known collectively as Tumba, the Government adaptation of the Native term *Ntomba*. Most of them are found to the east of the lake, the whole group numbering perhaps little more than forty to fifty thousand at the present time, though there is evidence that the last twenty years have seen a great decrease in population. European occupation of this area goes back barely fifty years, Protestant missions having been established for about the same length of time. The first mission post was established at Ikoko on the north-east shore of the lake, one of the villages of a group known as Bonginda. In pursuing this investigation particular attention has been given to the practices of this group, but mention is occasionally made where considerable differences have been found elsewhere.

The Tumba are agricultural, hunting, and fishing people. Their country is flat and swampy with dense forests, and there are many watercourses flowing into Lake Tumba. There are occasional small, less swampy plains, and one such area, more open, with quite wide stretches of prairie, is a haunt of buffalo. The forests are fairly well supplied with game, and the swamps, streams, and lakes with fish. A heavy rainfall and no distinct dry season make agriculture reasonably easy and famine unknown. Every family has its plantation of manioc, the staple diet, which is supplemented by plantains and bananas. The people make their own tools, formerly smelting their own iron for this purpose, are fairly skilful at making dug-out canoes, engage in weaving raffia and making mats out of split cane, and are efficient at pottery production.

The role of the *nkumu* in the socio-religious activities of the community is one of the most interesting features of Tumba life. As a result of European contact the ceremonies connected with the *nkumu* are rapidly disappearing, but it has been possible to collect considerable information from the older men and women among whom the details are still vividly remembered.[1] The following report refers to the period previous to European occupation and control, a time within the memory of a large number of people, but already sufficiently remote to become a matter of hearsay before the lapse of many more years.

An understanding of the place of the *nkumu* among the Tumba requires a glance at the tribal organization. According to the people themselves, they migrated westward, and coming into these parts chose land for themselves. Among the several

[1] In *My Children of the Forest*, New York, 1924, pp. 48–51, Andrew F. Hussey has briefly outlined some of the items of interest observed among the *nkumu* of the district adjacent to that of the present study. These more detailed notes are, however, chiefly of a record is to be preserved that approximates to accuracy.